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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,350	10/16/2001	Catherine L. Amann	03292.101370	6710
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EXAMINER				
LIU, I JUNG				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/982,350

Applicant(s)

AMANN ET AL.

Examiner

MARISSA LIU

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/13/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 6-13, 16 and 18-24 is/are pending in the application.
4a) Of the above claim(s) 8, 11, 20 and 23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 6-7, 9-10, 12-13, 16, 18-19, 21-22 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/3508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 4, 6-7, 9-10, 12-13, 16, 18-19, 21-22 and 24 are presented for examination.
- Applicant filed a request for continued prosecution and a request to enter the previously unentered after final amendment on 2/13/2008 amending claims 1, 6-7, 9-10, 12-13, 16, 18-19, 21-22 and 24 and cancelling claims 8, 11, 20 and 23.

Claim Objections

2. Claims 1, 7, 13, 19 and 21 are objected to because of the following informalities: P2P is an abbreviation. Appropriate correction is required.
3. Claims 1 or 13 or 21 is objected to because of the following informalities: [[and]] or "a [[the]] or "[[the]] a" recited in claim 1 or 13 or 21 does not follow standard format. Appropriate correction is required.
4. Claim 12 is objected to under 37 CFR 1.75(c) as being in improper form because: [[11]]
10. See MPEP § 608.01(n).
5. Claim 24 is objected to under 37 CFR 1.75(c) as being in improper form because: [[24]]
22. See MPEP § 608.01(n).

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. Claim 1 or 13 recites the limitation "the payment" in claim 1 or 13. There is insufficient antecedent basis for this limitation in the claim.
8. Claim 7 or 19 recites the limitation "a native format" in claim 6 or 19. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 13 recites the limitation "the transmitting" in claim 13. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 1, 4, 6, 13, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al., US Patent Number: 5,220,501 in view of Lowry et al., US Patent Number: 4,864,497, further in view of Braun et al., U.S. Patent No. 4,321,672 (PTO-892 reference B).

12. As per claim 1 or 13, Lawlor et al. teaches a system or method for executing a cash payment from a computer network, the system comprising:

a P2P server operative to: receive the payment request from a payor computing device over the computer network, and debit a financial instrument specified by a user of the payor computing device, wherein the payor computing device and the P2P server are in communication according to a native format of the P2P server (abstract; column 18, lines 19-50, column 21, lines 19-46; where "standard format" is equivalent of "native format"); and

to receive the payment request, and translate the payment request into the native format of an ATM control server (column 18, lines 19-50; column 19, line 54- column 20, line 6; column 21, lines 19-46; abstract; where "standard format" is equivalent of "native format"), transmit the payment request to the ATM control server (column 41, line 65-column 42, line 17; Fig. 13; abstract; column 18, lines 19-50, column 21, lines 19-46) and transmit the payment

instructions and [[a]] the PIN code to an ATM, to enable the ATM to dispense the payment upon receipt of the PIN code (column 21, lines 19-46).

Lawlor et al. does not teach:

And a request translation software operative to: translate the request; the ATM control server operative to generate payment instructions and a PIN code;

Lowry et al. teaches:

And a request translation software operative to: translate the request (column 9, lines 62-65).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add request translation software operative to translate the request feature to a system or method for executing a cash payment from a computer network of Lawlor et al. because Lowry et al. teaches that adding the feature helps to provide a means for managing the access to such a common data structure by application programs and to make request into an appropriate format (see column 2, lines 43-45 and column 9, lines 62-65).

Braun et al. teaches the following:

the ATM control server operative to generate payment instructions (see Fig. 6) and a PIN code (see Fig 4; columns 2-3 and 11-15).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add the ATM control server operative to generate payment instructions and a PIN code feature to a payor computing device of Schutzer because Braun et al. teaches that adding the feature helps essentials of the transaction can be transmitted efficiently to

the financial institution, without complex input procedures (see column 3, lines 32-45 of Braun et al.).

13. As per claim 4 or 16, Lawlor et al., Braun et al. and Lowry et al. teach a system or method of claim 1 or 13 described above. Lawlor et al. further teaches system wherein the request translation software is operative to translate the payment request into multiple native formats of a plurality of disparate ATM control servers (column 18, lines 19-50, column 19, line 54-column 20, line 6, column 21, lines 19-46; where “standard format” is equivalent of “native format”).

14. As per claim 6 or 18, Lawlor et al., Braun et al. and Lowry et al. teach a system or method of claim 1 or 13 described above. Lawlor et al. further teaches a system wherein the ATM generates and transmits a first response that it has received the payment instructions (abstract; column 21, lines 19-45).

15. Claim 7, 9-10, 12, 19, 21-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al., US Patent Number: 5,220,501 in view of Lowry et al., US Patent Number: 4,864,497, further in view of Braun et al., U.S. Patent No. 4,321,672 (PTO-892 reference B) further in view of Official Notice.

16. As per claim 7 or 19, Lawlor et al., Braun et al. and Lowry et al. teach a system or method of claim 6 or 18 described above. Lawlor et al. further teach wherein the request translation software is operative to: receive a response from the ATM control server translate the response into a native format of the P2P server, and transmit the response to the P2P server (abstract; column 18, lines 19-50, column 21, lines 19-46; where “standard format” is equivalent

of “native format”).

Lawlor et al. does not teach: by the request translation software, second response.

Official Notice is taken that by the request translation software, a/the second response is old and well established in the business of banking as a convenient way for ATM or company or individual to obtain more information. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included by the request translation software, a/the second response to system for executing cash payment.

17. As per claim 9 or 21, Lawlor et al., Official Notice and Lowry et al. teach a system or method of claim 7 or 19 above. Lawlor et al. further teaches wherein the P2P sever is operative to transmit a response to a payee computing device (column 21, lines 19-46; abstract).

Lawlor et al. does not teach: a third response to at least one of the payor computing device and.

Official Notice is taken that a third response to at least one of the payor computing device and is old and well established in the business of banking as a convenient way for ATM or company or individual to obtain more information. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included by a third response to at least one of the payor computing device and to system for executing cash payment.

18. As per claim 10 or 22, Lawlor et al., Official Notice and Lowry et al. teach a system or method of claim 9 or 21 described above. Lawlor et al. further teaches wherein the response comprises the PIN code (column 21, lines 19-46; abstract).

Lawlor et al. does not teach: at least one of the first response, the second response and the third response comprise at least one of payment instructions and.

Official Notice is taken that a at least one of the first response, the second response and the third response comprise at least one of payment instructions and is old and well established in the business of banking as a convenient way for ATM or company or individual to obtain more information. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included at least one of the first response, the second response and the third response comprise at least one of payment instructions and to system for executing cash payment.

19. As per claim 12 or 24, Lawlor et al., Official Notice and Lowry et al. teach a system or method of claim [[11]] 10 or [[23]] 22 described above. Lawlor et al. further teaches wherein the ATM dispenses an amount specified by the payment instructions in response to the PIN code (column 21, lines 19-46; abstract).

Response to Arguments

1. Applicant's arguments with respect to claims 1, 4, 6-7, 9-10, 12-13, 16, 18-19, 21-22 and 24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA LIU whose telephone number is (571)270-1370. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. L./
Examiner, Art Unit 3694

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694